

0246

**BOX:**

378

**FOLDER:**

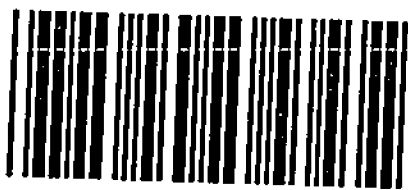
3531

**DESCRIPTION:**

Smith, John

**DATE:**

12/06/89



3531

POOR QUALITY  
ORIGINAL

0247

Witnesses:

John Tracy  
Officer Clark

Counsel,

Filed

Pleads,

6 Dec 1889

THE PEOPLE

vs.

John Smith

Assault in the First Degree, Etc.  
(Firearms.)  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill

Wm. Lewis  
Foreman.

Dec 9/89

Lead & Ammunition  
S. J. Law got 7 mags.

POOR QUALITY  
ORIGINAL

0248

Police Court—3rd District.

City and County } ss.:  
of New York, }

of No. 301 E 8th Street, aged 46 years,

occupation laborer being duly sworn

deposes and says, that on 5th day of November 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Smith now known as John  
the contents of four barrels  
of a loaded revolver at the  
body of deponent, four of  
the balls from said revolver  
entering deponent's body

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 14th day  
of December 1889.

John Bray

John  
Police Justice.

POOR QUALITY  
ORIGINAL

0249

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Smith* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h<sup>e</sup> right to  
make a statement in relation to the charge against h<sup>e</sup>; that the statement is designed to  
enable h<sup>e</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>e</sup>  
that he is at liberty to waive making a statement, and that h<sup>e</sup> waiver cannot be used  
against h<sup>e</sup> on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty.  
And waive John Smith  
further examination  
here,*

Taken before me this

day of *December* 188*8*

Police Justice.



POOR QUALITY  
ORIGINAL

0250

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court---

District.

14/12

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Offence Felony  
Assault

Dated

Dec 4 1889

Magistrate.

McDonald

Officer.

McDonald

Witness.

John Connolly

No. 202-8th

John Connolly

Street.

John Connolly

No. 324

John Connolly

Street.

John Connolly

No. 13

John Connolly

Street.

John Connolly

No. 202-8th

John Connolly

John Connolly

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Dec 4 1889 John Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0251

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Smith*

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*John Smith*  
late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*nine* with force and arms, at the City and County aforesaid, in and upon the body of one *John Bray* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* (the said *John Bray*) a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *John Smith* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him*, the said *John Bray* thereby then and there feloniously and wilfully to kill,, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *John Smith* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John Bray*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John Bray* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

*John Bray*  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *John Smith*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0252

**BOX:**

378

**FOLDER:**

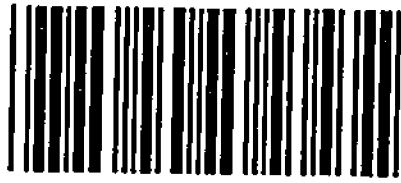
3531

**DESCRIPTION:**

Smith, John

**DATE:**

12/10/89



3531



POOR QUALITY  
ORIGINAL

PI March 22 1899

0253

Witnesses:

Adolph Raphael

Officer Apple

The defendant is a  
professional thief &  
burglar - He has

several terms of prison -  
-presently before the  
indictment - since this  
indictment has been found  
he has been sentenced  
to prison on other charges.

About one year ago  
last April - in 1892 -

He was committed & sen-  
tenced to 4 years in  
the State Prison - Since this  
last sentence - he has  
suffered that he is well

Mr. Raphael Brown this  
morning in law of 530  
of street in Chicago, as  
as he left got out - I have  
the moment duty term  
expired - he has been placed in  
here in this case

Counsel,

Filed

1899

Pleads,

THE PEOPLE

vs.

John Smith

Grand Larceny, Second Degree,  
[Sections 528, 531, Penal Code]

In State JOHN R. FELLOWS,

under name of ~~John R. Fellows~~  
name of ~~John R. Fellows~~  
per claim about request  
way.

A True BILL

Samuel L. Jones

Foreman.

Part 2. Aug 16  
Mar. 30 1899. G. S. S.  
Bail Discharged.



POOR QUALITY  
ORIGINAL

0254

Police Court

2

District

Affidavit—Larceny.

City and County }  
of New York, ss.:

Gustave Raphael

of No. 92 Attorneys

Street, aged 16 years,

occupation Clerk

being duly sworn

deposes and says, that on the 12 day of October 188

at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in the day time, the following property, viz:

Thirteen dollars  
in good and lawful money of  
the United States

\$ 13 -

the property of Lobel & Gerber of 34 Bond St,  
and then in deponents care and  
custody.

and that this deponent  
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Smith now here,

under the following circumstances: Deponent  
was walking in Broadway near Houston  
street, about half past ten o'clock  
in the morning. Deponent held the said  
money in his right hand. The defendant  
snatched the said money and ran off  
and was immediately pursued by  
deponent and others, and he  
was arrested within five minutes  
thereafter by Policeman Apple of the  
17th precinct with the said stolen  
property in his possession.

Gustave Raphael

Sworn to before me this 12 day of October 188

Police Justice.

POOR QUALITY  
ORIGINAL

0255

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John Smith* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*John Smith*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*U.S.*

Question. Where do you live, and how long have you resided there?

Answer.

*13 Second St. a couple of months*

Question. What is your business or profession?

Answer.

*Laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I have nothing to say*

*John Smith*

Taken before me this

day of

*Oct*

1885

Police Justice.

POOR QUALITY  
ORIGINAL

0256

BAILLED, *arrested*  
No. 1, by *Joseph Hume*  
Residence *56 Spring Street*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court--- *2* District *1548*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Raphael*  
*John Smith*  
Offence *Larceny*  
*felony*

1  
2  
3  
4

Dated *Oct 19* 188 *9*

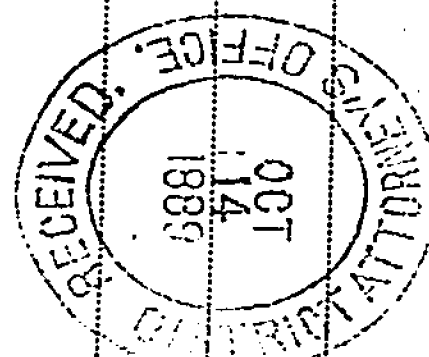
*German* Magistrate.

*Apple* Officer.

Witnesses \_\_\_\_\_ Precinct.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.



No. *1076* Street. *S. J.*

*Joseph Hume*  
*John Smith*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

*John Smith*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *\$1000* Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Oct 19* 188 *9* *John German* Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0257

Court of General Sessions, PART 3.

THE PEOPLE

INDICTMENT

vs.

For

*John Smith*

To

M.

*John Dunn*  
No. *56* *Spring* Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *Wed* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on the *17<sup>th</sup>* day of *December* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN R. FELLOWS,

District Attorney.

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS

In the Name of the People of the State of New York,

To

of No.

*Off. Apple*  
*17<sup>th</sup>* Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 1893 at the hour of 10<sup>1</sup>/<sub>2</sub> in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *John Smith*

Dated at the City of New York, the first Monday of  
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

Ask to see Mr. Bedford  
At *12* o'clock *M.*



POOR QUALITY  
ORIGINAL

0258

\*\*\*\*\*

THE PEOPLE  
against  
JOHN SMITH.

\*\*\*\*\*

This case is now ten years in this office. Defendant has served a term in State Prison on another indictment and came out six or seven years ago, since which time he has behaved himself, married, and enlisted in the 9th Regiment in the late war, went to the front and came home and was honorably discharged. His brother-in-law, who is living with him, says that he is leading an honest life and I am convinced that the proper disposition of this indictment would be the discharge of the defendant upon his own recognizance, which I respectfully recommend.

New York, February 20th, 1899.

*Wm. T. Mumford*

Assistant District Attorney.

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Smith*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse

*John Smith*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,  
committed as follows:

The said

*John Smith*

late of the City of New York, in the County of New York aforesaid, on the *twelfth*  
day of *October* in the year of our Lord one thousand eight hundred and  
*eighty-nine*, at the City and County aforesaid, with force and arms, in the  
*day* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *thirteen*

dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of *thirteen*  
dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *thirteen*

dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *thirteen*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *thirteen dollars*

of the goods, chattels and personal property of one *Gustav Raphael*, on the  
person of the said *Gustav Raphael* then and there being found,  
*from the person of the said Gustav Raphael*  
then and there feloniously did steal, take and carry away, against the form of the  
Statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

JOHN R. FELLOWS, District Attorney.

0260

**BOX:**

378

**FOLDER:**

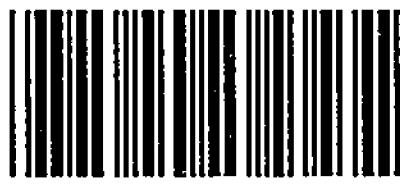
3531

**DESCRIPTION:**

Smith, John

**DATE:**

12/11/89



3531

POOR QUALITY  
ORIGINAL

0261

Witnesses:

*Samuel Cohen*

*M. Spira*

*Chas. Brennan*

Counsel,

Filed

Plends,

*Dec 11* 18*99*

THE PEOPLE

vs.

*John Smith*

*Grand Jurors, Second  
degree + Reopening  
[Section 498, 504, 525, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]*

JOHN R. FELLOWS,

District Attorney.

A True Bill

*Dec 11/99*

Foreman.

*Dec 11/99*  
*Grand Jury 3rd*  
*S. P. Devogels & Son*



POOR QUALITY  
ORIGINAL

0262

Police Court Third District.

City and County } ss.:  
of New York,

of No. 157 Ridge Street, aged 26 years,

occupation Merchant being duly sworn

deposes and says, that the premises No. 157 Ridge Street, 11th Ward

in the City and County aforesaid the said being a four story brick

tenement house, the Cellar of

and which was occupied by deponent as a Store Room

and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking

the Cellar door fastenings

on the 29 day of November 1889 in the Evening time, and the

following property feloniously taken, stolen, and carried away, viz:

Dry goods of the

value of Thirty Dollars

the property of Isaac Cohen

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

**BURGLARY** was committed and the aforesaid property taken, stolen and carried away by

Sam Smith (now here)

for the reasons following, to wit: At five o'clock on

Said day and date Deponent

locked, bolted and effectually

closed said premises, and

at seven o'clock P.M. on

Said night and date

Deponent found said

Cellar door open, and said

goods gone, and Deponent

POOR QUALITY  
ORIGINAL

0263

was informed by one Moses  
Spiro of 149 Ridge St, that he  
saw said Defendant holding  
said cellar door open and take  
said goods from some unknown  
person.

Therefore Department now  
charges said Defendant with  
Burglariously entering said  
cellar and taking, stealing and  
carrying away said property  
prays that he be dealt with as  
the law directs.

Present before me, *Trachten*

this 1<sup>st</sup> day of Dec 1889

*Police Justice*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
ss.	
1.	
2.	
3.	
4.	
Dated	1889
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.



POOR QUALITY  
ORIGINAL

0264

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

30

District Police Court.

*John Smith* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is ~~his~~ right to  
make a statement in relation to the charge against ~~him~~; that the statement is designed to  
enable ~~him~~ if he see fit to answer the charge and explain the facts alleged against ~~him~~  
that ~~he~~ is at liberty to waive making a statement, and that ~~his~~ waiver cannot be used  
against ~~him~~ on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*Am not guilty*

*John Smith*

Taken before me this

day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0265

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court  
District.

1752

THE PEOPLE & c.,  
ON THE COMPLAINT OF

James O'Brien  
vs.  
James O'Brien  
Magistrate  
Office

Dated Dec 1 188

Magistrate

13

13

13

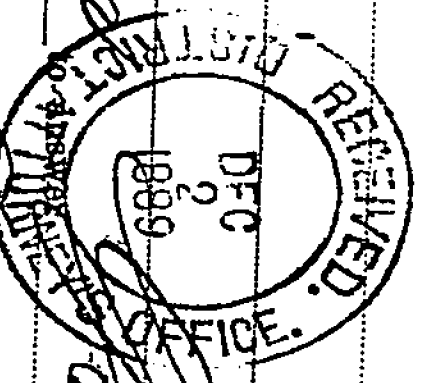
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13



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Dec 1 188 \_\_\_\_\_ Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0266

District Attorney's Office.

PEOPLE

vs.

John. Smith.

Burglary.

Isaac. Cohen  
152. Ridge St

off Boennan  
13 West

Mosé Spiro  
149. Ridge St

POOR QUALITY  
ORIGINAL

0267

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Smith

The Grand Jury of the City and County of New York, by this indictment, accuse

John Smith

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Smith

late of the *Eleventh* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-ninth* day of *November* in the year of our Lord one thousand eight hundred and *eighty-nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *building* of one

Isaac Cohen

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Isaac Cohen

in the said *building* then and there being, then and there feloniously and burglariously to steal, take and carry away against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY  
ORIGINAL

0268

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said

of the CRIME OF

The said

*John Smith*  
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:  
*John Smith*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

*a quantity of dry-goods, a  
more particular description  
whereof is to the Grand  
Jury aforesaid unknown,  
of the value of thirty dollars*

of the goods, chattels and personal property of one

in the *building* of the said

*Isaac Cohen*  
*Isaac Cohen*  
there situate, then and there being found, *in* the *building* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.



POOR QUALITY  
ORIGINAL

0269

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
\_\_\_\_\_ *John Smith* \_\_\_\_\_  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*John Smith*  
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms,  
a quantity of dry goods, a more  
particular description whereof is  
to the Grand Jury aforesaid  
unknown, of the value of  
thirty dollars

of the goods, chattels and personal property of one

*Isaac Cohen*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously  
stolen, taken and carried away from the said

*Isaac Cohen*  
unlawfully and unjustly, did feloniously receive and have; the said

*John Smith* \_\_\_\_\_  
then and there well knowing the said goods, chattels and personal property to have been feloniously  
stolen, taken and carried away, against the form of the statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0270

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Smith, William H.

**DATE:**

12/23/89



3531

POOR QUALITY  
ORIGINAL

0271

Witnesses:

*John A. [illegible]*

*For Grade Papers  
Returned*

Counsel,

Filed

day

1889

*23 Dec*

Pledges

*Property*

THE PEOPLE

vs.

*12*

*William M. Smith*

*Jan 9/90*

*Speed & Perpetrated*

JOHN R. FELLOWS,

District Attorney.

*[Crime against nature  
Sec. 303, Penal Code]*

A TRUE BILL.

*James A. [illegible]*

*Have full of [illegible]*

*23 Dec 1889*



48

The People  
vs  
William H. Smith } Court of General Sessions, Part I  
Before Recorder Smyth.  
Thursday, January 9<sup>th</sup> 1890.  
Indictment for crime against nature.

John F. McGinty, sworn and examined. I am a Central Park policeman and was such on the 10<sup>th</sup> of Dec. 1889. I am in citizen's clothes on special duty. I was in the Park on the 10<sup>th</sup> of Dec. I saw the defendant that day and also the defendant Kelly. I saw them first about a quarter past three in the afternoon in the Belvidere stone building overlooking the Reservoir. I saw Smith and Kelly on the first landing up stairs and they were fooling some way with their hands. As soon as they saw me they began striking each other on the shoulder, as if they were telling something. I went up stairs; there were people going up and down, as many as twenty people passed up and down within half an hour while I was there. So I was going to watch these two men on account of acting suspiciously. I went up stairs, so that they could not get out on the walk or I would have seen them. Everything got quiet; there

was only two men up stairs besides these men - the people were after going away. I sneaked down stairs easily, I could not see them on the first landing going around on the winding stairway. I saw Smith three or four steps below Kelly - Kelly was on the top, he (Smith) having Kelly's penus in his mouth. As soon as he saw me Smith ran away. There was an officer outside of the building, and I halloed for him to catch them fellow with the blue coat; he ran up stairs and caught Kelly and I caught Smith. I brought the two of them to the station house and made a complaint. The clothing was not disarranged. His man (Smith) was covered with some white stuff on his coat; he wiped his mouth with his handkerchief. I 'catched' him. I says, "you take big chances in the day time. He said, "I cannot help it now." Cross Examined. I arrested them about 3.50; the crime occurred in the building; he ran away from the building the time I arrested him. I arrested Smith near a hundred yards from the steps of the

building. From the time I first discovered Smith on the steps to the time I made the arrest I did not keep him in view all the time. I guess I was up stairs thirty five minutes. Then I discovered them doing what I have stated. I gave chase to Smith and I kept him in view all the time till I arrested him; he was in front of me and seven or eight feet ahead of me. I first took Smith to the Park Station and then to Sixty Seventh St. The crime was committed in 84<sup>th</sup> st. street and the station is at about 84<sup>th</sup> st. When I arrested Smith he took out his handkerchief and wiped his mouth and wiped his coat off. I did not notice the condition of his pantaloons and did not notice while I had him in custody that he arranged his pantaloons in any way. I was standing three or four feet from these men at the time this act was committed. I was after coming down from the third story. There is a winding stairway, and they were coming down from the second floor to the first on the winding stairway, and when I came around to go down the two men were there.



committing the crime. I looked down and saw them. I was two or three steps from them. I heard no conversation between them. Kelly had a chinilla overcoat on and Smith was dressed the same as he is now. They were standing kind of sideways on the stairs and Kelly standing kind of sideways, so that he could look up. Smith was looking up. I saw Smith first; he saw me and he ran as soon as he saw me, Kelly stood still and I ran past him after Smith. When I saw the act committed Kelly's overcoat was opened. I am sure the coat was unbuttoned around the lower part of his body. There is one window opening from the stairs on the side on the top floor. There are three floors on that building. The window that I speak of in the top of the building is very small and has no glass or shutter, it is an opening in the wall in the shape of a window. I should say it was two or three feet long and one foot wide. There was plenty of light from the windows down stairs; I could discern the face and features of every person there.

William H. Smith, sworn and examined, testified in his own behalf. My right name is Fred B. Marniere. I gave the name of Smith when I was arrested because I did not wish my people or my friends to know that I should be charged with such an atrocious crime - to save my name. I have heard what Officer McGinty said. I did not do the act which he has charged. It was not seven that my mouth and clothing was besmeared with I can explain that. I had been sick nearly the whole of that day and I went into that place to get away from people that I might throw off without outsiders seeing me. I did so, but when the officer grabbed me the stuff from my stomach was what was over me at the time. I was taken with vomiting. I had a fit of dizziness, I had two or three dizzy spells that day. I was dizzy when I stood in the arsenal. I did not fall down. I was standing on the second floor of the tower. I first saw Kelly while I stood there. I was taken with a sick feeling prior to that time. Kelly spoke to me and sympathized with

me; he asked me if I was sick and said I was very white looking, I must be sick. I told him I was and had been sick all day; he stood there and talked with me a few minutes. He asked me after I had thrown up if I would have a cigar. I said, "Don't ask me, for that will make me worse, for I never indulge in smoking." I started down stairs first I should judge Kelly was two or three steps behind me. I did not see officer McGinty until he caught me by the back of the neck. I did not catch all he said to me at the time because he grabbed for me and started to jump over Kelly - he said, "Now you son of a b---h, I have caught you." I was excited, I heard a noise and got out. The officer had no reason to suspect me of committing any such offence in the Park, and there was no reason why he should make use of that term so far as I know. The stairway was narrow and two persons could not go past each other. There are landings at different places. During the time I was



in the tower I saw from six to eight people there. It was a very pleasant afternoon and people were looking off in different directions. I am a stranger in New York to a certain extent. It will be nine years next October since I commenced residing in Newark, N.J. I am a cloth cutter and worked for Valentine and Keller and Marshall and Ball; the largest clothing firm in Newark. During the dull season I am out of employment for some time and I had been away from business at this time about five weeks. I had never known Kelly till this day, he was an entire stranger to me. My family consists of a widowed mother and sister and I am their means of support for eleven years. Cross Examined. I conversed with Kelly from five to ten minutes. I do not know that Kelly ran away. I started to run, I did not suppose for a moment he was after me. I ran to get out of the squabble whatever it may have been. I had not done anything wrong. I did not wish to be in with this squabble,

I knew there was something going on above me. I heard a noise and started to run. I had done nothing. Then the officer caught hold of me. I vomited and I had vomited previous to his coming up. and it went over my coat. The signature on the paper, now shown me is mine. I was sober at the time I signed my name. The officer when he arrested me took me to a station house in the Park and then to another station house and I was locked up for the night. Then the next morning I was taken to a place that looked like a court room and a gentleman sat on the bench and a clerk alongside of him. I was asked my name, how old I was and where I resided but cannot say <sup>that</sup> I was asked what my occupation was. I was asked what I had to say in reference to the charge made against me and I signed the <sup>but, whether</sup> paper, at that time or not I cannot say. I told the clerk that I lived in Newark a few years, but did not tell him as I testified today that I lived there nine years.

He asked what my business was, and I told him "salesman," for I am both cloth cutter, salesman and stock keeper. You were asked to give an explanation of the charge against you and you said, "I am guilty of the charge," didn't you? No sir, I cannot think that I did. I cannot say <sup>by the Court</sup> you cannot say whether you said that? No sir, not at that time or any other time. There's not you told that you were charged with doing a certain thing? Yes, I was told that I was charged with a crime against nature. I did not know at that time what such a thing was.

William Kerns, sworn and examined. I am the person who is indicted under the name of Wm. Kelly. I gave that name when I was arrested because I was ashamed to have my friends see that my name was mixed up in such a case. I reside in Twenty third street New York but really do not know the number. I am a bar tender and at the time this happened I worked in 1386 Second Avenue for Matthew Kelly. The first time I saw the defendant was that day <sup>of the arrest</sup> in the tower in the Park. I was in the top of the tower and in



coming down I saw that gentleman and he was sick; he looked very poorly indeed and his head was out of the window facing the reservoir. I stood for a moment or so. I asked him did he feel unwell? He said, yes, he had a bilious attack I think he called it. I really felt for him so much I stopped for a moment or two with him. I was smoking a cigar. I asked him would he take a cigar, it might settle his stomach. He put up his two hands and said, "No, I never smoke nor drink." I stopped talking to him then and there were some ladies and gentlemen within a few yards of us outside and on the same landing with us there was a lady and gentleman and two children. The defendant and I talked about the weather and the Reservoir. We remained there five or ten minutes. I saw in a minute the detective McGinty coming up. I knew him before as I lived round about Seventy First St. After a little while Mr. Smith said he had to make some calls in 95th St. I think he said or somewhere across town. I suggested if

he took a walk through the Park he might feel all right and go afterwards and see his friend. In the mean time there was a policeman (I hope he is here today) within five or ten yards of us the whole time and saw everything we were doing, walking up and down. I went to make a move for home. I intended to meet my boss in the Park, Smith was before me, he went down three or four steps I said "be careful." I was standing on the top step with my hands in my pocket and I heard a footstep coming down the top stairs. very light. He gave a look out of the little window in the tower to see the view. He said, "all right," made some remark to me. I saw the detective coming along. He (the detective) swore that he saw Smith first, but he did not, he saw me first, I was in full view. He said, "you son of a b- h I shall see you now." He passed me by and ran after Smith. I never made a move, I stood still there until the <sup>Park</sup> policeman came over and arrested me. I asked him what he arrested me for, and he said he did not know. It was not Officer

McGinty but a policeman in uniform, he told me he did not know what the charge was but that I would know soon enough perhaps. McGinty came up with Smith and accused ~~him~~ of being down on me. I denied it, I said it was a lie and I say so still. I made the remark when he made this suggestion, Did you see my clothes anyways disarranged? He said, No. I had my hands in my pockets and never took them out and the Park policeman saw me walking towards him. McGinty was four or five steps above me when I first heard him on the stairs. I am not very big and I filled the stairway going down, there are quite sharp turns on the stairs like a corkscrew. Did you or did you not on that day commit the crime that this defendant and you are charged with? No sir, I would not allow him or anybody else to do it. I never saw him before that day to my knowledge. Cross Examined. My right name is William Kerns. At the time of my arrest I was lodging in 23<sup>rd</sup> street, I think they call it the "olive tree" hotel, it is a 25 cent lodging house.



It is near First Avenue. I lived there a couple of weeks and before that I lived in 944 Third Avenue near 57th street with Mr. Thomas Cuff, I am surprised I do not see him here today. It is six years since I landed here first. I have always been a bar tender. I was first employed as bar keeper by Ex Alderman Kenny when I landed. I worked for him five or six months. I then worked for McMuliffe and Gibbons for a year and a half. I then went to the old country and came back and worked for a man named Fox for five months. I was also a keeper on Ward's Island for a year and a half.

Peter Gahm sworn. I reside in Newark, N. J. I am a cutter by trade and at present am foreman of Marshall and Ball's, large clothing dealers in Newark. I have been in their employ eighteen years and have been foreman about five years. Have known the defendant, whom we called "Mannery" for five years. He was a cutter, and occasionally when we were busy in the store he would wait on customers. I have always found him to be a good man in business; his general character was

It is near First Avenue. I lived there a couple of weeks and before that I lived in 94 1/2 Third Avenue near 57th street with Mr. Thomas Cuff, I am surprised I do not see him here today. It is six years since I landed here first. I have always been a bar tender. I was first employed as bar keeper by Ex Alderman Kenny when I landed. I worked for him five or six months. I then worked for McMuliffe and Gibbons for a year and a half. I then went to the old country and came back and worked for a man named Fox for five months. I was also a keeper on Ward's Island for a year and a half.

Peter Gahrn sworn. I reside in Newark, N.J. I am a cutter by trade and at present am foreman of Marshall and Ball's, large clothing dealers in Newark. I have been in their employ eighteen years and have been foreman about five years. I have known the defendant, whom we called "Mannery" for five years. He was a cutter, and occasionally when we were busy in the store he would wait on customers. I have always found him to be a good man in business; his general character was

good. There is a part of the season when men are discharged for want of work, but Mr. Munnery was supposed to come back as the season opened as formerly. I came voluntarily from Newark to testify at the request and expense of Mr. Ball. I never saw anything in the action of the defendant that would indicate that he was addicted to the practice that he is charged with here.

Frank J. Harrison, sworn. I reside in Newark and am a clothing cutter in the employ of Marshall and Ball for three years. I have known the defendant personally about four years and by sight about ten years. I know of nothing wrong about him. I was never out in society with him but once, and that was to call on three lady friends of his. I should say his character was good. I am assistant foreman, and to a certain extent the defendant came under my daily supervision.

Charles W. Sperry sworn. I am a veterinary surgeon. I married his sister and have known the defendant twenty five or twenty seven years. He has been a cutter during the last



ten years in the employ of two firms. I know that he has been subject to vertigo and attacks of dizziness.

John F. McGinty, recalled by the Asst.

Dist. Atty. It is not true when the defendant states that when I caught hold of him by the back of the neck he vomited to a great extent and that it went over his clothing. At no time when I had him in custody did he vomit. When I went to search Kelly in the station house his pants were opened and I called the attention of the Sergeant to it. After Smith was brought to the Park Police station and to the 67th St. Station house he was brought the next morning to the 57th St. Court before Justice McMahon and the charge made against him. He said he was guilty of the charge.

Asst. Dist. Atty. Davis offered the examination of the defendant before the Magistrate in evidence and the Court admitted it.

The jury rendered a verdict of guilty with a recommendation to mercy. The prisoner was remanded for sentence.

POOR QUALITY  
ORIGINAL

0288

Testimony in the  
case of  
Mr. H. Smith

filed Dec. 1899.

18-18

POOR QUALITY  
ORIGINAL

0289

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

William H. Smith

The Grand Jury of the City and County of New York, by this

Indictment accuse William H. Smith

of the crime of ~~against nature~~

committed as follows:

The said William H. Smith,

late of the City of New York, in the County of New York, aforesaid, on the

~~Tenth~~ day of ~~December~~, in the year of our Lord one thousand  
eight hundred and eighty- ~~nine~~, at the City and County aforesaid,

in and upon one William Kelly, a male person,  
feloniously made an assault, and upon the  
said William Kelly in a manner contrary to  
nature, then and there feloniously did carnally  
know, against the form of the Statute in  
such case made and provided, and against the  
peace and dignity of the said People.

Second Count -

And the Grand Jury aforesaid do by  
this Indictment further accuse the said  
William H. Smith of the same crime against



POOR QUALITY  
ORIGINAL

0290

nature, committed as follows:

The said William H. Smith, afterwards,  
to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously  
did voluntarily submit to carnal knowledge  
of himself by one William Kelly, a male  
person, in a manner contrary to nature; against  
the form of the Statute in such case made  
and provided, and against the peace and  
dignity of the said People.

John A. Bellows,

District Attorney.

0291

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Spero, Frank

**DATE:**

12/20/89



3531

POOR QUALITY  
ORIGINAL

0292

Witnesses:

Philip H. Frank  
Off. Hordley

Counsel,

Filed

day of Dec 1878

Pleads,

Not guilty

THE PEOPLE

vs.

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

18/12/18  
Frank Sporo

Del 13 for Del 13 hat ASD  
Feb 19 Del 13 ASD  
John R. FELLOWS,

District Attorney.

Jan 2 - Grand 31.1890 convicted

guilty assault 2nd degree with weapon.

to jury Del 13 ASD

A True Bill

Wm. J. Lewis

Foreman.

Part 2 15-18

A H H B L A  
Feb 2 1878 Part 2

subscribed and sworn to



POOR QUALITY  
ORIGINAL

0293

Police Court—5 District.

City and County } ss.:  
of New York, }

of No. 325 E 113<sup>th</sup> Philip M. Frank  
Street, aged 30 years,  
occupation Cochman being duly sworn

deposes and says, that on the 7 day of December 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank Operra  
who did come and stab deponent  
in the back with the blade of a  
knife which knife he the said  
Frank Operra then came there  
in his house, that deponent was  
so violently and feloniously assaulted  
and beaten

with the felonious intent to take the life of deponent, ~~to~~ to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 8<sup>th</sup> day  
of December 1889 }

P. M. Frank

A. J. White Police Justice.

POOR QUALITY  
ORIGINAL

0294

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Frank Sperry* - being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. *Frank Sperry* -

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live, and how long have you resided there?

Answer. *2121-1<sup>st</sup> Ave. 9 years*

Question. What is your business or profession?

Answer. *Blank*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not guilty*

*Frank Sperry*  
*Blank*

Taken before me this

day of *March* 1938

Police Justice.

POOR QUALITY  
ORIGINAL

0295

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Police Court... District. 1791

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Philip H. Frank  
G23, East 113 St  
Frank Chene  
Offence: Arson  
Felon

Dated: Dec 8 1889  
Magistrate: [Signature]

William S. Hickey, Officer.  
Precinct: 29  
Deborah H. Hickey, Receptionist  
Witnesses: [Signature] 113 St  
[Signature] 113 St

No. 4, by: [Signature] Street.  
No. 8, by: [Signature] Street.  
Residence: [Signature] Street.  
No. 1, by: [Signature] Street.  
Residence: [Signature] Street.  
No. 2, by: [Signature] Street.  
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No. 100, by: [Signature] Street.  
Residence: [Signature] Street.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.  
Dated: December 8<sup>th</sup> 1889 [Signature] Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.  
Dated: 18 1889 Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offence within mentioned. I order he to be discharged.  
Dated: 18 1889 Police Justice.



POOR QUALITY  
ORIGINAL

0296

COURT OF GENERAL SESSIONS.

----- X

T H E P E O P L E

-vs-

F R A N K S P E R O .

Indictment filed Dec. 20th, 1889.

Indicted for assault in the first

degree.

-c----- X

: Before  
: Hon. Randolph B. Martine  
: and a Jury.

Tried March 31st, 1890.

APPEARANCES:

Assistant District Attorney Parker for the People;  
Robert H. Racey, Esq., for the defense.

-----  
Philip H. Frank, the complainant testified that he lived at 325 East 113th Street, and that he was a coachman. He knew the defendant, Spero, by sight. As he, the complainant, was walking down 1st Avenue, between 112th and 113th Streets, with Miss Lizzie Cook, at about fifteen minutes after one o'clock, on the morning of December 8th, 1889, he met the defendant. He, the complainant, and Miss Cook had been visiting at the house of a Mrs. Shugar, in 1st Avenue,

POOR QUALITY  
ORIGINAL

0297

(2)

between 113th and 114th Streets. Miss Cook was now living out in service somewhere in the City of New York, and he could not ascertain her address. She then lived in 102nd Street, and he was escorting her home. At the corner of 113th Street and 1st Avenue, the defendant and two other men ran across the street and caught hold of Miss Cook, threw her down and commenced to kick her. They said nothing before they did this. Then he, the complainant, went to Miss Cook's assistance, and the defendant struck at him, the complainant, with his fist, and he, the complainant, struck the defendant upon the neck. Then Miss Cook cried out, "He has a knife." She was then sitting up on the sidewalk. He, the complainant, saw a knife in the defendant's hand, and ran, and the defendant ran after him. He, the complainant, saw the defendant take the knife out of his right hand trousers pocket, and open it. The defendant pursued him towards 113th Street, and cut him, the complainant, in the back -- in the small of the back. He, the complainant, cried out, "Catch that man. He cut me." At that time, he, the complainant, saw Officer Hickey, on the corner of 113th Street. The officer pursued the defendant down 112th Street, and the other two men who were with him ran down 1st Avenue. He, the complainant, ran with Officer Hickey after the defendant. About 50 feet from Avenue A and 112th Street, Officer Cleary headed the

POOR QUALITY  
ORIGINAL

0298

(3)

defendant off. The defendant said to him, the complainant, after his arrest, "I didn't do the cutting." Officer Hickey said, "You will have to go to the station house," and the defendant said, "I don't care. I'll get out of it anyhow." At the 126th Street police station his, the complainant's wound was dressed.

Under cross examination the complainant testified that he had to be up that morning at three o'clock, to drive a coach, and he had not gone to bed. He had drank only two glasses of beer. He, the complainant, and two young men did not have some trouble on the corner of 1st Avenue and 113th Street, and the defendant did not come over to look on. He had known the defendant for about a year by sight, but had never spoken to him. He met Miss Cook in Mrs. Shugar's house, at about 12 o'clock, when he went there to make a call. Miss Cook then lived at 215 East 102nd Street.

Officer William D. Hickey testified that he was attached to the 29th Precinct. He saw the complainant, on the morning of December 8th, 1889, at about ten minutes after one, at the corner of 1st Avenue and 113th Street. He, the officer, was standing in a doorway, on the opposite side of the street. It was raining. He heard a scuffle in 1st Avenue near, 112th Street, a few minutes after he first saw the complainant, and he ran in that direction, and saw



POOR QUALITY  
ORIGINAL

0299

(4)

the defendant chasing the complainant. He saw the defendant raise his hand, and then saw the complainant stagger as if about to fall. The complainant cried out, "Officer catch that man. He stabbed me." Then the defendant ran down 112th Street. He, the witness, rapped his club upon the sidewalk and his partner, Officer Cleary captured the defendant in 112th Street near Avenue A. There were two men with the defendant, and they ran down 1st Avenue, when he ran down 112th Street. When he, the witness, got up to where the defendant was in the custody of Officer Cleary, the defendant said, "I didn't do it." He, the witness, said, "You are the man that this man, Frank, says done it. You never left our sight." The defendant said, "Well, I'll get out anyhow." The defendant was bruised around the nose and mouth. He, the witness, had to use his club upon the defendant to take him to the station house, because about five hundred Italians gathered around there and tried to prevent him, the witness, from taking the defendant, who was resisting arrest, to the station house. He, the witness, saw Miss Cook on the corner of 1st Avenue and 113th Street, but he did not know where she was then living.

Under cross examination the witness testified that he knew the defendant by sight, but knew nothing more about him.

**POOR QUALITY  
ORIGINAL**

0300

(5)

Officer Robert T. Cleary, of the 29th Precinct, testified that when he saw Spero running down 112th Street, he advanced to arrest him. Spero dodged behind a coal box, but he, the witness, caught him there, and dragged him out.

Dr. Frederick Hammond, testified that he was attached to the Harlem Reception Hospital. He dressed the complainant's wound. The wound was between the shoulder blades, near the sixth rib, about half an inch in length, and evidently penetrating quite deeply. It was about a quarter of an inch to the left of the spinal column, if the wound had penetrated to the spinal column, the result would have been paralysis.

For the defense, Frank Spero, the defendant, testified that he lived at 2121 First Avenue. At the time of his arrest he was employed on a street-watering cart. At the time of his arrest he also had a wagon and horse, and drove around at odd times, buying rags. He had known the complainant for about two years, and had often spoken to him. On the night of December 7th, 1889, he and a friend, Frank Cajama, went to the museum, in 115th Street, and then they strolled down 3rd Avenue, looking in the store windows. He saw the complainant and Miss Cook at 1st Avenue and 112th Street. They were drunk, and swaying from side to side. He, the defendant, recognized the complainant, and said,

**POOR QUALITY  
ORIGINAL**

0301

(6)

"Hello, Jim." The complainant said, "Ah, go on with you," and he and Miss Cook walked on. He, the defendant, stood on the corner, and two strange men came along, and caught hold of Miss Cook and hit her. They did not knock Miss Cook down, nor did she fall. Then a police officer ran across the street, and he, the defendant, saw "Peter", the name by which he knew one of the two men who had attacked the complainant and Miss Cook, draw a knife and a pistol. Then he, the defendant, thought it was time to go home, and he ran down 112th Street, and was arrested. He had never been in a fight before or near one, and he ran because he was frightened. One of the officers fired three shots from his revolver, and he, the defendant, was so frightened that he fell down behind the coal box, where he was arrested. Officer Cleary took him out from behind the box and began to club him, and Officer Hickey pulled out his revolver and hit him in the eye with it.

Under cross examination the defendant testified that he met Cajama at about nine o'clock, and they got back from the museum at about half past twelve. His, the defendant's younger brother met them at 1st Avenue and 113th Street and said that his, the defendant's mother had sent him to tell the defendant that it was time for him to be home. He, the defendant, drank nothing that night, and never drank



**POOR QUALITY  
ORIGINAL**

0302

(7)

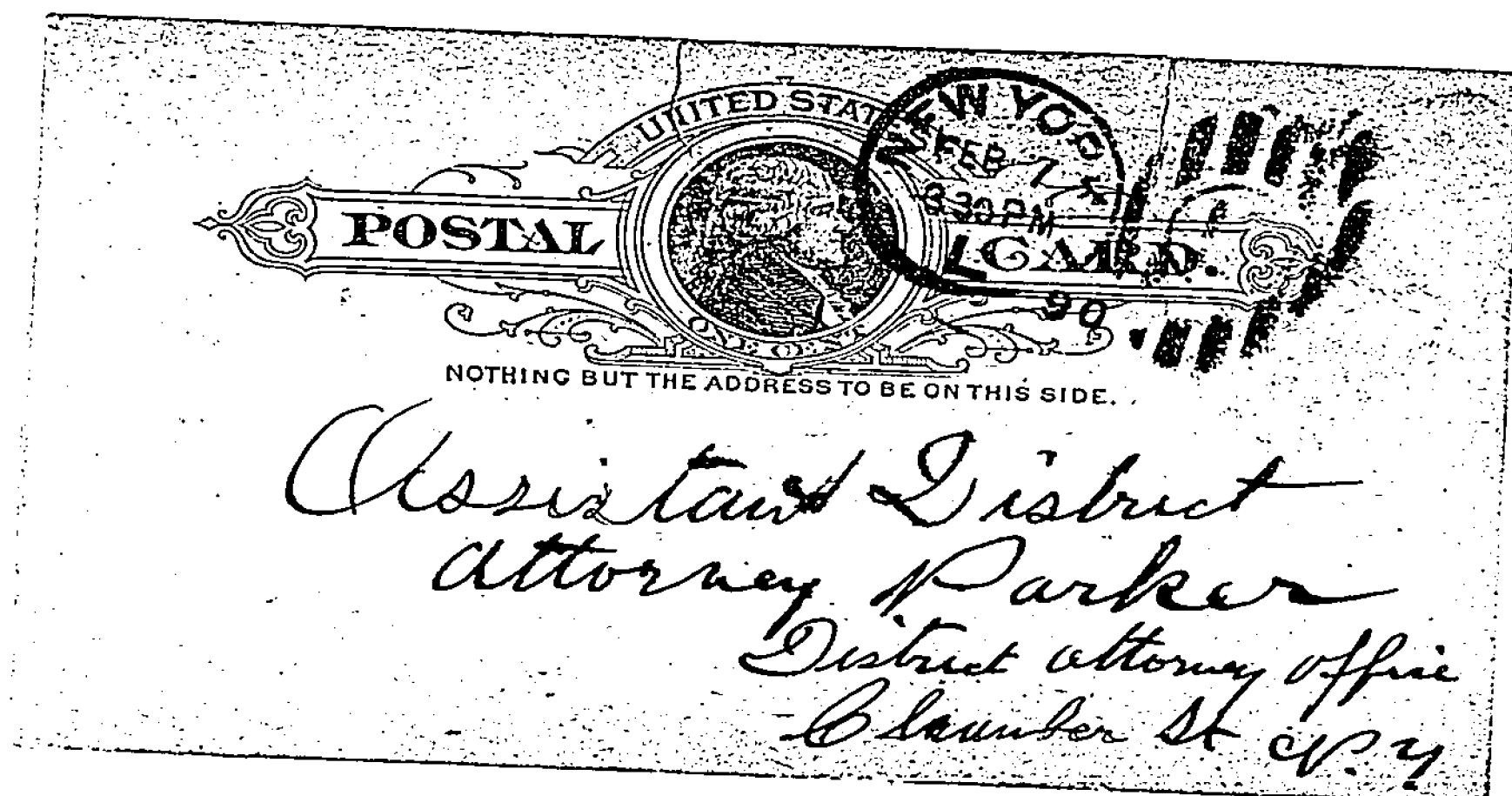
anything.

Antoinetta Palomba testified that she lived at 319 East 112th Street. She could not remember the date but she remembered that on one night early in December she was at a wake, and she was sitting at a window looking out on 112th Street. The house was in 112th Street near 1st Avenue. She saw two men fighting on the opposite corner. The men were strangers to her. The defendant was standing on the corner underneath her window, and she saw the defendant cross the street to where the two men were fighting. One of the two men ran away, and the police officer chased the defendant instead of the man who ran. The defendant did not strike the complainant, or participate in any way in the fight.

Under cross examination the witness testified that she was unmarried, and lived with her parents. She was employed as a juggler in a museum. She had known Spero for about three years. She was in the house of a Mr. Kennan, at the wake of a baby

POOR QUALITY  
ORIGINAL

0303



POOR QUALITY  
ORIGINAL

0304

Dear Sir

February 7/90

The name of the Doctor  
in the case of the People against Frank  
Jeffers is Dr. Hammond of Harlem  
Reception Hospital 120 St and East  
River you will send him a subpoena  
for Feb 13

Yours  
officer William Hickey  
29 West



POOR QUALITY  
ORIGINAL

0305

Court of General Sessions.

THE PEOPLE

vs.

Frank Spero

City and County of New York, ss:

sworn, deposes and says: I reside at No.

Jas. H. Driscoll  
29 City Hall Place

being duly

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the 28<sup>th</sup> day of March 1890,

I called at 215 East 102<sup>nd</sup> St.

the alleged residence

of

Rizzie Cook

the complainant herein, to serve her with the annexed subpoena, and was informed by the

janitor that no such person lived in the house, and if there was any such person, there, she would be apt to know it, I then went up to the second floor, where the janitor said there was a little girl name Rizzie, and that it might be her, so I went and asked her if her name was Rizzie Cook, and she said no so after making diligent search and inquiry I failed to ascertain her present whereabouts

Sworn to before me, this 31 day  
of March 1890

Thos A. McGuire

COMMISSIONER OF DEEDS  
N. Y. C.

Jas. H. Driscoll

Subpoena Server.

POOR QUALITY  
ORIGINAL

0306

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Frank Apero

Offence :

JOHN R. FELLOWS,  
District Attorney.

Affidavit of

James H. Driscoll  
Subpoena Server.

Failure to Find Witness.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frank Spers*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Frank Spers*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Frank Spers*

late of the City of New York, in the County of New York aforesaid, on the  
*seventh* day of *December* in the year of our Lord  
one thousand eight hundred and *Eighty-nine* with force and arms, at the City and  
County aforesaid, in and upon the body of one *Philip H. Frank*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Philip H. Frank*  
with a certain *knife*

which the said

*Frank Spers*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

*him* the said *Philip H. Frank*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*Frank Spers*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Frank Spers*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Philip H. Frank* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said

with a certain

*Philip H. Frank*  
*knife*

which the said

*Frank Spers*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

*John R. Fellows*  
*District Attorney*



0308

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Spriggs, Robert H.

**DATE:**

12/05/89



3531

POOR QUALITY  
ORIGINAL

0309

Witnesses;

Chas Mayo

Wells & Thayer  
Kemp & Mack  
Maripolululkee  
Place, at which  
Shand, the  
baptized into  
by the Police  
22

Wm. A. W. Carter

William A. Carter

Counsel,

Filed 25 day of Dec 1889

Pleads,

THE PEOPLE

for and shos.

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

Robert H. Spriggs

JOHN R. FELLOWS,

Dec 10/89, District Attorney.

and x convicted Assa. 2d.

A True Bill. 41

James H. H. H.

Foreman.

3/10/89 J. H. H.

0310

Police Court  
Second Dist.

The People vs  
Charles May  
Robert Spriggs

Examination Before Justice Ford

Nov 23 1889

In the defendant - Wanhope Lewis

Mr Golding

Charles May the complaining witness  
being further examined by the court  
deposed and says. On Nov 5 I  
was assaulted at No 12 Grand  
St by Robert Spriggs the defendant  
between half past three and  
half past four. I and a  
friend of mine Scott Daggett  
came down to this place from  
No 19 Grand St. Daggett  
did not ask me to go over  
to Spriggs' place. I told him I  
did not frequent the place. Daggett  
asked me to go and have a  
drink with him and I went  
after you got down there that



occurred:

A. I was standing at the bar. My friend was standing next to me and my friend was between me and Spriggs. Spriggs said to me "You son of a bitch you are no good" I said "If you don't want me here I will go out: tell me so and I will go out." He said "I have got it in for you I am going to fix you and he started towards me. My friend got between us and shoved him off. He stopped. Then he commenced at me again. He said "You black son of a bitch I will make you sick." I said "Don't talk that way." and I reached for a glass and he reached for a glass. I raised mine up. I did not get at him. I missed him. He ran into me and I saw he had a knife in his

hand... He first cut me  
in the head, and cut me  
on the side. I <sup>got up and got a pillow and</sup> threw  
on the floor. By that time  
Lenny Priggs came down and  
commenced to scream. I  
said I wanted to go. Priggs  
said to me "Go get a  
doctor and get the blood  
washed off." I said "No!  
I want to get out." He  
said "Get a doctor, and  
wash the blood off, and I  
will pay the expenses." I  
said "I want to get out."  
Then he let me out.

Cross examined by Mr. Levin

Q How long have you known  
Levin?

A A number of years.

Q You have had some difficulty  
prior to this trouble?

A We did. I had not spoken  
to him I think for a year or so.

Q This was election day?

A Yes Sir

Q Were you sober?

A I was not drunk. I had been drinking, but I was not drunk. I had had a couple of drinks.

Q You had been over to Cadizins

A Yes Sir

Q Is Scott Daffett a colored man or a white man?

A A white man.

Q How long a time had you been in there when Briggs came in?

A I do not know whether he was in when I went in. He came down in the bar.

Q Where did you first see him?

A He spoke to me at the bar.

Q Did he ask you to drink?

A Yes

Q Did he invite you to take something?



1  
A He did.

2 Do you recollect making any remark?

A No sir.

2 You know that Spriggs' land was stabbed?

A No sir. I do not remember about it.

2 Was Spriggs close to you?

A There was a man standing between us.

2 What caused you to pick up your glass?

A I picked up my glass to drink some beer.

2 Is it not a fact that you threw the glass at him?

A No sir. He made an attempt to strike me with a glass.

2 Did you not throw the contents of a glass at him?

A No sir. I did not strike him, but he picked up a glass and threw it at

me. As soon as the glass had been thrown he ran into me and cut me - stabbed me.

2 Were you not clutched?

1 He ran into me and stabbed me.

2 What sort of a knife was it?

1 I could not say.

2 A knife or table knife?

1 It was not a table knife.

2 How many persons were there?

1 Five

2 What was the first thing you remember Spriggs doing?

1 I do not know what I could say - I put down the bottle and looked at him too.

2 Was Scott present all the time from the commencement to the close - down to the time you were cut?

1 I can't say.

1  
A I cant say.

2 He did not go out with  
you.

A Not as I know. I did not  
look for him.

2 Did you ever threaten to kill  
the defendant?

A Never in my life.

2 Did you say you would  
do him up the first  
opportunity you got?

A Never sir

2 This Scott was present  
and stood between you?

A Yes.

2 You walked out did you not  
after Iron stabbed.

2 Who separated you?

A No one as I know of. He  
let up off me after  
he thought I was dead.

2 Is that the whole of  
the quarrel?

A I do not recollect  
anything after Iron stabbed



2 You recollect going out?

A Yes.

2 Did you have a knife that day?

A No Sir.

2 One about that?

A Yes Sir: I never carried a knife in my life.

2 Did you see any one else but Spriggs have a knife?

A No Sir.

2 Could you explain how Spriggs was stabbed during that fight?

A I cannot, but I can take my affidavit that I had no knife.

2 How did Spriggs stand when he cut you?

A He ran into me and stabbed me - cut me.

2 Did you roll on the floor?

A I fell after he cut me.

8 2 - You was on the floor

A O'Fall after he cut me.

Sworn to before me the  
24th day of November  
1889

Oliver Justice

Scott Daggett being duly  
sworn and examined as a  
witness for the people deposes  
and says: I met the  
complainant on election  
day and went with him to  
Cadigan's place to drink

Q When you went out of there  
did you go to Spriggs place?

A Yes. I asked Mr. Daggett to  
take a drink in Spriggs  
place. After we took a  
drink we talked a few  
minutes

Q Was Spriggs there when you  
went away?

A He was not in the bar

Q room when I turned around

and walked out. Mr Briggs  
came in.

2 From where

A I could not say. He came  
down from up stairs. I  
asked him to join us in a  
drink. He seemed kind of  
miffed some way. He did  
not seem to like it. I had  
met him before. I asked  
him what was the matter. He  
spoke something. I said I  
did not understand. I did  
not know what was the  
matter. I said that if I  
had insulted him I was  
sorry for it. He did not  
give me any explanation.  
He said "I will take a drink  
with you anyhow". He took  
a drink. As we had had  
a drink before I simply put  
paid for his drink. He invited  
us to take a drink. Then  
they began to argue about



something. I do not remember  
the conversation exactly but they  
used hard words. I saw  
that there was going to be  
trouble. I did not want  
to have trouble. I stood  
there and tried to pacify them  
as well as I could. I turned  
and saw that there was  
going to be trouble and I  
went and got out.

Q And that is all you know  
about it?

A Yes sir

Q Where did you go

A I went out of the  
place. That is all I  
know about it.

Sworn to before me this

23d day of November 1883

Notary Public

Charles Fletcher being duly sworn  
" and examined as a witness for

Complainant deposes and says:  
I live at 51 1/2 Thompson  
St. I am a dog fancier.  
I know the complainant and  
Defendant

Q Have you heard the Defendant  
express himself about the  
complainant?

A I do not know that he  
referred to the Defendant.

Q What did he say?

A He said he was going to  
kill a nigger to day

Q Is that all

A That is all I know

Sworn to before me this

23d day of November

1889

Police Justice

The People Rest

James Grey being duly sworn and  
examined as a witness for the  
Defendant deposes and says:-  
I know the Defendant and

The complement. I was present at the trouble between them. I live at No 2 Frank St. I state what occurred.

Q Did you see Mayo there?

A When Spriggs came down to the bar, Spriggs was standing at the bar. Spriggs said to Mayo "Will you take a drink?" Mayo said "I will take a drink with you you cock sucking son of a bitch." Mayo said that to Spriggs. Mayo had a glass of beer in his hand. Mayo said to Spriggs "I have got a mind to sweep the floor with you." Spriggs said "Now Charley be sociable." Mayo said "I have got you now you cock sucking son of a bitch." Spriggs bucked down the way and said "No no; I don't want any trouble here. Why can't you



be possible." Mayo picked up a glass and dashed it in his face and broke the glass. Spriggs put his hand up this way. "I heard Mayo say to Spriggs "What are you trying to do; are you trying to get me to cut myself with my own knife." They were both on the floor, they were scrambling together when Mayo made that remark.

2 Did Spriggs have a knife in his hand that day?

A No sir

2 Did you see Spriggs from the beginning?

A Yes sir.

2 They clunched?

A They ran around the table - Mayo after Spriggs - they were on the floor together - Mayo was on top of Spriggs.

2 Then they were separated.

14 A Yes. I heard Mayo

say to Briggs: You cock  
sucking son of a bitch I  
will kill you.

2 What happened then?

A Mays started up stairs

Off the court

2 You know that Mays was  
cut?

A No sir: I did not know  
it while he went up stairs.

2 Did you know he was  
cut there?

A No sir: I did not know  
he was cut.

2 You have heard it since?

A I have learned since yesterday.

2 He was cut in that struggle;

1 He may have been

2 How could he have cut  
himself?

A I heard him say: "You  
cock sucking son of a bitch  
you are trying to make me  
cut myself with my own

Knife

Sworn to before me  
this 23d day of November  
1889

Robert Fisher

Major Williams being duly  
sworn and examined as a witness  
for defendant deposes and  
says:- I live at No 12 Grand  
St. I am a waiter. I was  
there on Nov 5 when this trouble  
occurred between Mays  
and Spriggs

Q Did you see the trouble  
commence?

A Yes Sir.

Q Did you see the trouble  
when it first began - where  
was Mays?

A Mays had a glass of beer  
in his hand. Bob Spriggs  
came in and asked Mays  
to take a drink with him



Mayo said 'Yes: you cock  
sneaking son of a bitch I  
will take a drink with you  
and sweep the floor with  
you in a few minutes' Bob  
said "I would not do that"  
and then in two or three  
minutes Mayo fired his  
glass in Spriggs face..  
Bob threw up his hands  
and Mayo stabbed him  
in the hand.

Q With what?

A With a knife

Q Did you see the knife  
in Mayo's hand?

A I did sir

Q What kind of a knife?

A I could not say what  
kind - I only saw it was  
a knife

Q Did you see Spriggs hand  
cut?

A Yes sir

17 Q What took place then?

A Mayo ran after Spriggs around the table. Then they clenched and Mayo threw Spriggs and Mayo was on top.

Q Then they rolled on the floor?

A Yes; and Mayo said "You are trying to make me cut myself with my own knife."

Q Did Spriggs get the knife away from Mayo?

A - I know he had a knife.

~~Q~~ Mayo had a knife himself?

A Yes.

Q What followed?

A Then they got up. Spriggs got the door open. He went outside.

Q Did you hear any remark made by Mayo before Spriggs came in?

A I heard him make the remark "Where is that bastard?"

18-2 Anything else?

A Mays said "I will kill  
the bastard"

2 He asked for Spriggs when  
he first came in?

A When he first came in

2 Spriggs was not there then?

A No Sir.

2 How long had Mays been  
there when Spriggs came in?

A About 15 minutes. He just  
got a drink.

2 He asked for that bastard?

A Yes.

2 Do you know anything about  
his calling Spriggs filthy  
name?

A He called him that first  
when he asked him for  
a drink.

2 What kind of a glass was  
it Mays had?

A A goblet

2 What was in Mays's goblet?

A Beer.

19 2 How far apart were Mays



and Briggs at that time,  
A about four feet

By the Court

Q You know that Mayr was  
cut that night?

A I heard so

Q Do you know who did it?

A I do not know who  
did it. I do not know  
whether he cut himself  
or not

Q You saw the whole transaction?

A Yes Sir,

Q Mayr was badly cut?

A Yes

Q How do you know that nobody  
else had a knife?

A I did not see anybody  
else have a knife

Q You saw all that took place  
and yet you cannot tell who  
cut him?

A - No Sir

Shown to before me this 23rd day of  
Nov 1889

20

Robert Justice

Joseph Parks being duly sworn  
and examined as a witness for  
Defendant deposes and says:  
I am 21 years old. I live at  
12 Grand st. I was in that  
place on Nov 5. Mayo and  
Spriggs were there. I went  
down at about half past three  
Mayo asked me to drink.  
He said where is that Cock  
Sucking ~~son~~ Bastard? I  
said "Who are you speaking  
of?" He said "Bob Spriggs".  
I said "What has he done  
for you? what cause have  
you got against him?" I  
did not know Spriggs was  
anywhere about. Spriggs  
came down stairs. and they  
were drinking at the bar.  
Charley Mayo talked about  
writing up the floor with Spriggs.  
Bobby said "No you wont do  
any such thing". Then they  
had a fight. Charley Mayo

was the only one who had a knife.

2 You knew that Mays was cut?

A No Sir. I do not know anything about that. I saw that Bobby Spriggs was cut. Spriggs did not have a knife.

By the Court.

2 - You say you saw all that took place?

A Yes.

2 But you did not see the man who cut Mays.

A No Sir; I do not know how he got cut.

2 This man was cut there

A He must have done it himself.

2 Did you see anybody cut him.

A He had a chance to get clear of the knife when he went out.

2 Did you see anybody cut him?

A No Sir, I did not see anybody cut him.

22 2 - You saw him personally.



A- I saw him leave it at  
Arrive to before me the  
26th day of November  
1889.

Police Justice.

Jennie Allen being duly sworn as  
a witness for defendant deposes  
and says: I am 25 years  
old. I live at 12 Grand St.  
I was in the bar room there  
on Nov 5 Mays was there.  
They asked for whiskey and  
I served them. Mays asked  
where was Robert Druggs.  
I told him he was out. He  
said "If he crooks at  
me I will kill him". Then  
I went up stairs and stood  
up stairs. Then white came  
up and said there were getting  
down stairs. I came down  
I saw Charles Mays with a  
knife in his hand. and he  
had a bullet in his going

for Johnny Briggs, who was  
running away.

Q Do you know how Mayo  
got out

A No Sir.

Q Are you a colored woman?

A Half colored - half white

Q Are you related to defendant?

A No Sir.

Q You live there?

A Yes Sir

Q Do you live together?

A No Sir: I own the premises  
and rent furnished rooms

Sworn to before me

This 26<sup>th</sup> day of November  
1889

John F. Perkins

Robert Spriggs the defendant  
being duly sworn deposes  
and says: When I went in  
the bar room that was the  
first time I saw Mayo  
that day. He and Scott

were standing at the bar  
drinking. I said to him  
"Here Charley, come let's have  
a drink." He said "No  
I will take and wife the  
floor with you." I said  
"There is no use talking  
that way." He took a glass  
and fired it at me. When  
I stepped back he took a  
knife and plunged it into  
my hand. I went away  
from him. He ran after me.  
I ran around the table. He  
and I clunched and fell  
on the floor.

Q Did you have a knife  
that day?

A No Sir. I do not carry  
a knife.

Q Did you cut anybody with  
a knife?

A No Sir

Q How long were you on the  
floor?



A Three or four minutes.

Q That is a long time!

A We were not there a long time. I did not know Mays was cut until the policeman came.

Q Do you know what time it commenced?

A A little after 4 o'clock.

On the Court

Q - Can you give any idea how Mays was cut?

A I do not know how he was cut. I know I did not have a knife.

Q You know he was cut?

A I never knew he was cut until the officer came.

Q Did Mays have any trouble with anybody else but you?

A Not as I know of.

Q He was not clinked with anybody else?

26 A Only clinked with me.

Q You are the only one he  
had trouble with?

A That is the only one I  
know

Q Was that the only time  
you was cut - in the hand?

A The only time - when I  
was cut on the hand

Sworn to before me this  
23d day of November  
1883.

Police Justice

Albert E. Westlstrom being  
duly sworn before and says  
I am a Policeman of the  
1st Precinct. I make this  
affirmation on the afternoon of  
election day I was told to go  
to 4th Grand St. that a man  
had been stabbed. I went  
there and found Mayo. I  
asked him who stabbed him.

2. What was the condition of  
compleat.

Shown to before me this  
23<sup>rd</sup> day of November  
1889

Polio Jukes

\$ft left none  
\$1000 base



POOR QUALITY  
ORIGINAL

0338

Bernard Lynch  
has lived in the  
service of Mrs. F.  
D. Spaulding as  
steward man for  
seven months  
he is perfectly  
honest, willing and  
obliging and strictly  
sober and a good  
worker and a  
good waiter, he  
leaves of his own

POOR QUALITY  
ORIGINAL

0339

a cord as he  
is capable of  
fulfilling a  
waiters and  
position.

Miss M. E. Carter  
for W. D. Sloane.  
642. Fifth Ave  
New York.

POOR QUALITY  
ORIGINAL

0340

Court of General Sessions.  
CLERK'S OFFICE.

PEOPLE

vs.

*Jacob S. Hergin*

*Dec 17 Mich 1890*

*also 13 March 1895*

*See Nov 1894*



POOR QUALITY  
ORIGINAL

0341

Form 199-09

52-44-10 (B) 10,000

District Attorney's Office

COUNTY OF NEW YORK

Office of the Chief Clerk

May 23 1911.

PEOPLE :  
vs :  
ce. Hadden :  
Indictmen  
filed:  
mech. 24.

CLERK OF THE COURT OF  
GENERAL SESSIONS:

Please send to this  
office the following  
original papers:

Indictment, complaint &c.  
Coroner's inquisition.  
Original exhibits.  
Stenographer's Minutes  
of trial.

Respectfully yours,

Chief Clerk.

*Wm. H. Hadden*

POOR QUALITY  
ORIGINAL

0342

three winters & only part  
from him on account of  
leaving for the South  
this month -

L. J. Calvo

31 W. 49<sup>th</sup> St  
January 4<sup>th</sup>

I can recommend Bernard  
Lynch as an excellent  
servant, sets a table  
& waits on table nicely,  
conscientious in his work,  
strictly honest & sober,  
very willing & obliging.  
I have employed him

POOR QUALITY  
ORIGINAL

0343

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
Charles Mayo  
Robert Briggs agst.

Examination had Mr 23 188 5  
Before J Henry Ford Police Justice.

I, W. L. Ormsby Stenographer of the 2 District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of Charles Mayo

Scott Baggett, Charles Fletcher, James Erey, Wyn Williams,  
as taken by me on the above examination before said Justice.

Dated Mr 26 188 9 W. L. Ormsby  
Stenographer.

Police Justice.



POOR QUALITY  
ORIGINAL

0344

Sec. 193

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Gorman Esq. a Police Justice  
of the City of New York, charging Robert H. Spriggs Defendant with  
the offence of felonious assault

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Robert H. Spriggs Defendant of No. 12  
Grand Street; by occupation a Hotel Keeper  
and Miss Jennie Allen of No. 12 Grand  
Street, by occupation a None Surety, hereby jointly and severally undertake that  
the above named defendants Defendant  
shall personally appear before the said Justice. at the District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty Five  
Hundred Dollars.

Taken and acknowledged before me, this 13  
day of November 1889

John J. Gorman POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0345

CITY AND COUNTY } ss.  
OF NEW YORK, }

Suborn to before me, this  
day of *April*  
*1889*  
Police Justice.

*Jimmie Allen*

the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *Six thousand* ~~thousand~~ Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *one house and lot*

*of land situated at no 12 Grand*  
*street and worth Eight thousand*  
*Dollars over all liabilities*

*Jimmie Allen*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 188

Justice.

DR. CHAS. D. POMEROY,

OFFICE HOURS: 10 to 11 A. M.  
2 to 3 P. M.  
7 to 8 P. M.

154 W. 20th Street, Bet. Sixth and Seventh Avenues,

158 04 1381 NEW YORK.

Ry This is to certify that I  
have this day examined Charles  
Mayo in Bellevue Hospital as to his  
physical condition and find him  
in good condition and entirely  
out of danger  
and Nov 11/88. Chas D. Pomroy M. D.

New York Nov 11  
This is to certify that  
Chas Mayo is in all  
probability out of danger  
his condition now is excellent  
and no change is anticipated

A. L. Constable M.D.  
Bellevue Hospital

Bellevue Hosp. N.Y.

Nov 8/88

Chas Mayo is improving  
and is likely to recover  
though not yet entirely  
out of danger

W. MacArthur  
House Surg.

Chas Mayo is in  
a critical condition

W. MacArthur  
House Surgeon

Bellevue Nov 6



POOR QUALITY  
ORIGINAL

0347

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Albert E. Westblom  
of the 8th Precinct Police Street, aged 29 years,  
occupation Police officer being duly sworn deposes and says,  
that on the 5 day of November 188 9

at the City of New York, in the County of New York, Charles Mayo  
was violently and feloniously assaulted and  
beaten by Robert H. Spriggs (nowhere)  
Deponent is informed by said Mayo in  
the presence of said Spriggs that he Spriggs  
cut and stabbed him in the left breast  
with a knife he held in his hand,  
that said Mayo is now confined to  
the New York Hospital from the effect  
of the injuries inflicted upon him.  
Deponent says that said Spriggs be committed  
to await the results of said injuries.  
Albert E. Westblom

Sworn to before me, this  
of November  
188 9 day

John H. [Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

0348

Police Court, \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*Charles H. Spragg*

Dated *Nov 6* 188*9*

*Bruce* Magistrate.

*W. H. S. S. S.* Officer.

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

*Held without bail  
to await result of  
inquest and for  
further examination  
\$3500 bail for Exp  
and Nov 20<sup>th</sup> 2 PM*

AFRIDA VIT  
an  
Chas H Spragg

POOR QUALITY  
ORIGINAL

0349

Police Court—2<sup>nd</sup> District.

City and County { ss.:  
of New York,

of No. 237 West 32<sup>nd</sup> Street, aged 24 years,  
occupation Train Porter being duly sworn

deposes and says, that on the 5<sup>th</sup> day of November 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Robert Striggs

(Now here) who did wilfully and maliciously  
cut and stab deponent in the left  
side of the body and on the top of the  
head with the blade of a dirk knife  
the defendant held in his hand  
and said assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me this 25<sup>th</sup> day  
of November 1889

Chas Mayo

J. Murphy Police Justice.



POOR QUALITY  
ORIGINAL

0350

Sec. 198-200.

2<sup>nd</sup>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Robert H. Spriggs Jr.* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer.

*Robert H. Spriggs Junior*

Question. How old are you?

Answer.

*32 years old.*

Question. Where were you born?

Answer.

*Virginia*

Question. Where do you live, and how long have you resided there?

Answer.

*12 Grand Street. Ten Years*

Question. What is your business or profession?

Answer.

*Bar Tender.*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty.*

*Robert H. Spriggs*

Taken before me this

day of *September* 188*9*

*Edmund Bird*

Police Justice.

POOR QUALITY  
ORIGINAL

0351

13500, bail for 21  
Nov 23-10 am

BAILED  
No. 1, by Marie Allen  
Residence 13 Grand Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court---

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Mays

Robert H. King

Offence Felony Assault

Dated Nov 23 1889

Wheaton Magistrate  
John Officer

Witnesses Charles Fletcher

No. 51 1/2 Houshoun Street.

Dr. L. H. H. H.

No. 120 Leavenworth Street.

Scott

No. 1 Chambers Street.  
\$ 100 Chambers Street.



Barth

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 23 1889 John H. H. H. Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated Nov 23 1889 John H. H. H. Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0352

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert H. Spriggs

The Grand Jury of the City and County of New York, by this indictment, accuse

Robert H. Spriggs  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

late of the City of New York, in the County of New York aforesaid, on the  
fifth day of November in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Charles Mayo  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said Charles Mayo  
with a certain knife

which the said Robert H. Spriggs  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent him the said Charles Mayo  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
Robert H. Spriggs  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Charles Mayo in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said  
with a certain knife

which the said Robert H. Spriggs  
in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.



THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

— *Robert H. Sprigge* —

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Robert H. Sprigge*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said

*Charles Mayo* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said *Charles Mayo* —

with a certain

*knife* —

which

the said

*Robert H. Sprigge*

in

*his* right hand then and there had and held, in and upon the *head*  
*and side* of *him* the said *Charles Mayo*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said

*Charles Mayo*

against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0354

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Stando, Nicola

**DATE:**

12/05/89



3531

0355

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Figluno, Fellicio

**DATE:**

12/05/89



3531



POOR QUALITY  
ORIGINAL

0356

Atlanta -  
E. C. Anderson

Counsel,

Filed

Dec 1899

Pleads,

THE PEOPLE

vs.

Nicola Stando

and

Delicio Fighino

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Dec 21/99  
(But) Discharged on plea and  
petyzation

A True Bill. 38

James H. Wells

Foreman.

Dec. 16<sup>th</sup>

Paris a

If witnesses;

Carano Aradun

Officer Miley

Court of General Sessions

The People

vs

Nicola Stardo and  
Felicio Fighino

Assault 1st degree

Report.

From the annexed affidavits it appears that the People have no proof against the defendants above named, except that they were among the crowd which attacked the complainant and stood close to him, when he turned around after having been cut. On the other hand, John Costantino, has testified that he saw the assault upon the complainant, and that it was committed by another man, that is, not by either of the defendants.

My opinion is that the People will be unable to secure a conviction of the defendants,

POOR QUALITY  
ORIGINAL

0358

and that to proceed to trial herein,  
would be a waste of the court's  
valuable time.

I, therefore, recommend a dis-  
missal of the indictment here-  
in as to both defendants.

Dated New York, December 24, 1889

Edward Grose  
Deputy Assistant.



City and county of New York, ss:

Carroll A. Dalina, being duly sworn, says, he lives at 116 Baxter Street and is a shoemaker by trade. That on the 17th of November, 1884, at about half past seven in the evening, several boys were fighting in front of his ~~place~~ <sup>residence</sup> ~~place~~ that he attempted to separate them, and that while doing this, about six or seven men jumped on him, punched him and one of them cut him with a knife across the upper lip and the nose. That he believes the said knife was a razor, although he has not seen it. That when he was cut as aforesaid, he turned around and saw the two defendants stand close behind him. That I did not see them strike me, but as I had received the said cut from behind I believed them to have made the said assault, and while I was in the hospital I informed a <sup>man of police</sup> ~~man of police~~ of mine of the <sup>said</sup> facts, and he caused the two men's arrest. That he had known the defendants before the said assault, but had

had no trouble or quarrel with them prior thereto. That he did not see the said knife or any other knife in either defendants hands. Neither of the defendants nor any one in their behalf has seen or spoken to me since their arrest about this case. That as soon as he was out, he ran into his rooms and did not pay any attention to what the others of the said seven men did at the time. That I cannot swear positively that the defendants herein assaulted me at the said time and place. That when he made his affidavit in the Police Court he was suffering yet from his wound and he believed the defendants to have been his assailants, because they had been so close behind him. That to-day, since he has recovered his clear-mindedness, he would not make the <sup>and</sup> affidavit.

Sworn to before me }  
this 23<sup>d</sup> of December 1887 }  
Edward Grose }  
Notary Public }  
City and County of New York }

City and county of New York. ss:  
John Continello, being duly sworn  
says, he lives at No. 117 Baster Street.  
He does not work now, but helps  
his father in his saloon. He was  
present, where the complainant  
was out, on the 17th of November,  
1889. That complainant was  
surrounded by eight or nine  
men, where he tried to slap  
one of three boys, that had been  
fighting with each other, and  
one of the said men cut the  
complainant across the upper  
lip. That the said man, who  
did the cutting, was not one  
of the defendants. That neither  
of the defendants laid his  
hands upon the complainant.  
That deponent stood near the  
place, where the assault occurred  
and was in a position to  
see what the different parties  
did.

Given & before me } John  
this 29<sup>th</sup> of December 1889 } Continello  
Edward Grose  
Notary Public  
City and county of New York



City and county of New York, ss:  
Edward P. Miley, being duly sworn,  
says, he is a patrolman assigned  
to the 6th precinct. That at the  
request of Eugene Delino, a  
complainant of the complainant, I  
arrested the two defendants, while  
the complainant was in the  
hospital. In the Police Court the  
complainant was not able to  
positively identify the defendants  
as his assailants. He could merely  
say that he had seen them  
among the crowd which as-  
saulted him and that he be-  
lieved that the defendant Fi-  
gina had cut him, and this  
statement he made only after  
he had had a conversation  
with said Delino.

Given to before me } Edward P. Miley  
this 24th of December 1889 }  
Edward Gross  
Notary Public  
City and county of New York

POOR QUALITY  
ORIGINAL

0363

*Court of General Sessions*

*The People*

*vs. Nicola Stanzolo  
Felicio Infante*

REPORT.

For the District Attorney.

*Dated November 24, 1889*  
*Edward Brooke*  
*Deputy Assistant*



POOR QUALITY  
ORIGINAL

0364

Police Court— District.

CITY AND COUNTY {  
OF NEW YORK, } ss.

*Caruana Ardolina*  
of No. *117 Baxter St* aged *39 years*

occupation *Shoemaker* being duly sworn, deposes and says, that

on *Sunday* the *17* day of *December*

in the year *1889* at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by *Nicola*

*Stando* <sup>my</sup> *Felicio Figliano* (both  
now here) from the fact that said  
*Stando* struck deponent a  
violent blow on the face with  
his fist and said *Figliano*  
wickedly and maliciously  
cut and stabbed him in  
the nose and cheek with a  
razor then and there held  
in his hand

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this *22* day  
of *Dec* 188*9*

*Caruana* <sup>his</sup> *Ardolina*  
mark

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0365

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Nicola Stando* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h ☐ right to  
make a statement in relation to the charge against h ☐; that the statement is designed to  
enable h ☐ if he see fit to answer the charge and explain the facts alleged against h ☐  
that he is at liberty to waive making a statement, and that h ☐ waiver cannot be used  
against h ☐ on the trial.

Question. What is your name?

Answer.

*Nicola Stando*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*Italy*

Question. Where do you live, and how long have you resided there?

Answer.

*136 Mall St*

*1 year*

Question. What is your business or profession?

Answer.

*Boot black*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*his*

*Nicola Stando*  
*mark*

Taken before me this  
day of *Nov* 188*7*

188

Police Justice.

POOR QUALITY  
ORIGINAL

0366

Sec. 100-230

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Felice Figliano* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h —; that the statement is designed to  
enable h — if he see fit to answer the charge and explain the facts alleged against h —  
that he is at liberty to waive making a statement, and that h — waiver cannot be used  
against h — on the trial.

Question. What is your name?

Answer.

*Felice Figliano*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Italy*

Question. Where do you live, and how long have you resided there?

Answer.

*117 Baxter St*

*3 years*

Question. What is your business or profession?

Answer.

*Frame maker*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Felice Figliano*  
*made*

Taken before me this  
day of *Nov*

188

Police Justice

POOR QUALITY  
ORIGINAL

0367

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Nov. 18<sup>th</sup> 1889

To whom it may concern:

This is to certify that

*Ciriaco Ardilina*

is ~~was~~ under treatment at this Hospital,

for *Incised wounds of face*  
*and lip*

from Nov. 17<sup>th</sup> 1889, to \_\_\_\_\_ 188

and *is still under treatment*  
*His wounds are not of a serious*  
*nature*

*J. M. Corbett M.D.*  
*House Surgeon*



POOR QUALITY  
ORIGINAL

0368

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

Edward F Miley  
of No. 81th Precinct Street, aged 31 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 17 day of November 1889

at the City of New York, in the County of New York, he arrested Nicola  
Stando and Felicio Figliano (both now here)  
on a charge of assaulting ~~Felicio Figliano~~  
Barbara Ardolina who is now confined  
in Chamber Street Hospital suffering  
from stab wounds inflicted by the  
above named defendants

Deponent says that Ardolina  
identified said defendants. Wherefore  
asks that said defendants be  
committed to answer the result of  
injuries  
Edward F. Miley

Sworn to before me, this  
of 1889 day

John J. McNeill Police Justice.

POOR QUALITY  
ORIGINAL

0369

Police Court, 1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*Nicola Stando*  
*Felicia Fuglone*

AFFIDAVIT.

Dated *Nov 18* 188 *9*

*JO Reilly* Magistrate.

*Malley* Officer.

Witness, \_\_\_\_\_

Disposition, *\$15.00 &*

*Nov 22. 10 a-M*

1

POOR QUALITY  
ORIGINAL

0370

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--*West* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Carriana J. Delaney*

*117 St. Bay St.*

*Frederic Delaney*

*212 St. Bay St.*

Offence *Assault*  
*Felony*

Dated *Nov 22* 188 *9*

*Wm. J. Delaney* Magistrate.

*Wm. J. Delaney* Officer.

*Wm. J. Delaney* Precinct.

Witnesses *Wm. J. Delaney*

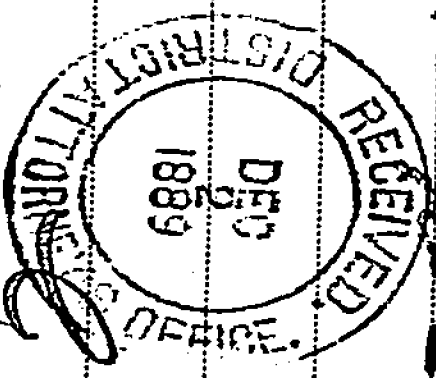
No. *Carriana J. Delaney* Street.

*117 Bay St.*

No. Street.

No. Street.

\$ *500* TO SURETY



*Commence*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *Defendants*

guilty thereof, I order that *he* be held to answer the same and *he* be admitted to bail in the sum of *five* Hundred Dollars, *Each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until *he* give such bail.

Dated *Nov 22* 188 *9* *Wm. J. Delaney* Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order *h* to be discharged.

Dated 188 Police Justice.



POOR QUALITY  
ORIGINAL

0371

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nicola Stando and  
Felicio Figliano

The Grand Jury of the City and County of New York, by this indictment, accuse  
Nicola Stando and Felicio Figliano  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Nicola Stando and Felicio Figliano, both

late of the City of New York in the County of New York aforesaid, on the  
Seventeenth day of November in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Carriano Ardalina  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said Carriano Ardalina  
with a certain razor

which the said Nicola Stando and Felicio Figliano  
in their right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound, 3

with intent him the said Carriano Ardalina  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
Nicola Stando and Felicio Figliano  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Nicola Stando and Felicio Figliano both

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Carriano Ardalina in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said  
Carriano Ardalina  
with a certain razor

which the said Nicola Stando and Felicio Figliano  
in their right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

THIRD COUNT—

John R. Fellows,  
District Attorney

POOR QUALITY  
ORIGINAL

0372

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
in the peace of the said People then

District Attorney's Office.

Part One  
PEOPLE *vs.*

Nicola Stando

Alicia Hughes

The evidence in  
possession of the  
People does not make  
a case which ought  
to go to a jury. It would  
be a waste of time to try  
it on existing testimony.  
I recommend  
discharge of Defendant  
on their own recognizance.  
*John R. Fellows*  
Dist. Atty.

of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0373

**BOX:**

378

**FOLDER:**

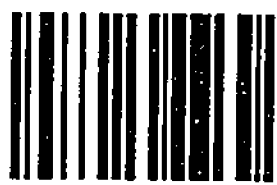
3531

**DESCRIPTION:**

St. Clare, Leonard E.

**DATE:**

12/03/89



3531



0374

Stephen W. Mead

Filed 3 day of Dec, 1889

Pleads, *Objection*

ms.

Leonard E. St. Clare

*THE LARSEN, —*  
(*False Pretenses*).  
[Section 628, and 682, Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

# A True Bill

Paul J. Lewis

*Foreman,*

Wm. Lloyd Garrison

Rev. Care year  
Dec 16/29 16

POOR QUALITY  
ORIGINAL

0375

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 210- 8th Avenue Street, aged 32 years,

occupation Undertaker being duly sworn

deposes and says, that on the 8th day of November 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the day time, the following property, viz :

Good and lawful money  
of the United States to the amount  
and of the value of fifty dollars.

the property of Stephen Merritt deponent's father  
and deponent. and in deponent's  
care and custody.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,

and carried away by Edward E. St. Clare  
(now here), from the fact that on  
said 8th day of November 1888  
the said defendant gave deponent  
the instrument in writing hereto annexed,  
which purports to be a check on the  
Second National Bank of New York  
City, for fifty dollars, payable to  
the order of Stephen Merritt, dated,  
New York November 8th 1888 and signed  
by E. E. St. Clare. This defendant, in  
payment of a bill of thirty two dollars,  
which this defendant owed deponent  
and deponent's father, deponent  
believing said check to be good.

Sworn to before me this 18th day of

Police Justice.

accepted it from the defendant in payment of said bill and gave him the said defendant the sum of Eighteen dollars in change which was the difference between the face value of said check and the bill which the defendant owed. And since that day defendant has not seen the said defendant.

Defendant has since been informed by the paying teller of said bank that the said defendant has no account in said bank and never had an account there. and that said check is worthless.

Wherefore defendant charges the said defendant with feloniously obtaining possession of said sum of money by color or aid of a false and fraudulent check for the payment of money when he the said defendant well knew that the maker or drawer of said check was not entitled to draw on the drawer for the sum specified therein. And prays that the said defendant may be held and dealt with according to law.

Sworn to before me } Stephen W. Munnitt  
this 20th day of Nov 1899 }  
John Horman  
Peace Justice



POOR QUALITY  
ORIGINAL

0377

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

2 District Police Court.

Leonard E. St. Clare being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h's right to  
make a statement in relation to the charge against h'; that the statement is designed to  
enable h' if he see fit to answer the charge and explain the facts alleged against h';  
that he is at liberty to waive making a statement, and that h's waiver cannot be used  
against h' on the trial.

Question. What is your name?

Answer.

Leonard E. St. Clare

Question. How old are you?

Answer.

57 years old

Question. Where were you born?

Answer.

England

Question. Where do you live, and how long have you resided there?

Answer.

307 W 22<sup>nd</sup> St 5 yrs

Question. What is your business or profession?

Answer.

Salesman.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

I have nothing to say

Leonard E. St. Clare

Taken before me this

day of

188

John J. Warner Police Justice.

0378

**Police Court--**

## District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Stephen A. Mawst

73.  
Francis & Co. H. W. W.

.....

.....

Dated 22/06/2018 188

John C. Magistrate

Special Agent in Charge Officer.

.....Precinct.

Witnesses *W. A. Jackson*

No. 14 Spring Street

22 May 1947 - 10000

No. 1111 Street, 1111

No. 1889

1300 to 1300

Accepted on 11/11/2019

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 4500 Hundred Dollars, ..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 30 1887 John J. Munroe Police Justice.

*I have admitted the above-named.....*  
*to bail to answer by the undertaking hereto annexed.*

*Dated*.....188.....*Police Justice.*

*There being no sufficient cause to believe the within named.....*  
*.....guilty of the offence within mentioned, I order h to be discharged.*

*Dated*.....188.....*Police Justice.*

POOR QUALITY  
ORIGINAL

0379

District Attorney's Office.

PEOPLE

vs.

Leonard E. St. Clare

Larceny

Stephen W. Merritt  
210. 8th Ave

off Carey & Logan  
16 Prec.

Geo H Richards  
Paying Teller  
Second National Bank  
5th Ave cor 73rd St



POOR QUALITY  
ORIGINAL

0300

5th Avenue and 23d Street.	No. <u>709</u>	NEW YORK, <u>Nov</u> <u>8</u> 188 <u>8</u>
	<b>SECOND NATIONAL BANK,</b>	
	Pay to <u>Stephen Merritt Esq</u>	<u>order</u> or Bearer,
	<u>\$50.00</u>	<u>Fifty</u> Dollars, <u>J E McClare</u>

POOR QUALITY  
ORIGINAL

0381

Stephen Merritt

POOR QUALITY  
ORIGINAL

0382

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

Leonard E. St. Clare

The Grand Jury of the City and County of New York, by this indictment, accuse

Leonard E. St. Clare

of the CRIME OF Petty LARCENY,  
committed as follows:

The said Leonard E. St. Clare,

late of the City of New York, in the County of New York aforesaid, on the eight  
day of November, in the year of our Lord one thousand eight hundred and  
eighty-eight, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud Stephen Merritt and Stephen W.

Merritt, copartners,

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to his own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to the said  
Stephen Merritt and Stephen W. Merritt,

That a certain paper writing in the words and  
figures following, to wit:

"No. 209

New York, Nov 8 1888

Second National Bank,

Pay to Stephen Merritt Esq or order,

Fifty Dollars,

\$50.00

L. E. St. Clare "

which he the said Leonard E. St. Clare  
Stephen Merritt then and there  
produced and delivered to the said Stephen Merritt



POOR QUALITY  
ORIGINAL

0303

and Stephen W. Merritt, was then and there a good and valid order for the payment of money and of the value of fifty dollars.

And the said Stephen Merritt and Stephen W. Merritt then and <sup>there</sup> ~~they~~ believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Leonard E. St. Clare

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Leonard E. St. Clare, the sum of eighteen dollars in money, lawful money of the United States of America and of the value of eighteen dollars.

of the proper moneys, goods, chattels and personal property of the said Stephen Merritt and Stephen W. Merritt

And the said Leonard E. St. Clare did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Stephen Merritt and Stephen W. Merritt by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Stephen Merritt and Stephen W. Merritt of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing which he the said Leonard E. St. Clare so as aforesaid then and there produced and delivered to the said Stephen Merritt and Stephen W. Merritt

POOR QUALITY  
ORIGINAL

0384

was not then and there a good and valid order  
for the payment of money, and was not of  
the value of fifty dollars, or of any value,  
but ~~it~~ was wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said Leonard E. St. Clare  
to the said Stephen Merritt and Stephen W. Merritt was and were  
then and there in all respects utterly false and untrue, as he the said  
Leonard E. St. Clare  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
Leonard E. St. Clare  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Stephen Merritt and  
Stephen W. Merritt  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0385

**BOX:**

378

**FOLDER:**

3531

**DESCRIPTION:**

Steadman, Annie

**DATE:**

12/16/89



3531



POOR QUALITY  
ORIGINAL

0386

Witnesses;

Lizzie Perry

Berlinger.

Counsel,

Filed

1899

Pleas,

THE PEOPLE

vs.

Annie Steadman

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Spec. Committed by  
Hearings Ereg

A True Bill. 1183

Laura A. Allen

Foreman.

Part 2. Dec 20 by court.

1899.  
Ten: One year.

POOR QUALITY  
ORIGINAL

0387

Police Court \_\_\_\_\_ District.

City and County { ss.:  
of New York, }

of No. 21 Minetta Lane Street, aged 45 years,

occupation Washerwoman being duly sworn

deposes and says, that on the 5th day of December 1889 at the City of New

York, in the County of New York, in said premises

she was violently and feloniously ASSAULTED and BEATEN by Aunie

Steadman, who wilfully and

maliciously struck deponent

several violent blows on the head

and face with a hatchet, which

she the said Aunie then and there

held in her hand, cutting deponent

severely.

Deponent further says,

that such assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 5th day

of December 1889.

Lizzie Berry

J. M. Murphy Police Justice.

POOR QUALITY  
ORIGINAL

0388

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Annie Steadman* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *her* right to  
make a statement in relation to the charge against *her*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *her*  
that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used  
against *her* on the trial.

Question. What is your name?

Answer.

*Annie Steadman*

Question. How old are you?

Answer.

*34 years*

Question. Where were you born?

Answer.

*New Jersey*

Question. Where do you live, and how long have you resided there?

Answer.

*No 121 Minnetta Lane? 2 years*

Question. What is your business or profession?

Answer.

*Washing & Ironing*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*  
*Annie Steadman*  
*mark*

Taken before me this

day of *December* 1889

*John W. Smith*

Police Justice.



POOR QUALITY  
ORIGINAL

0389

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court--- 2 District.

1994

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Henry*  
*21 Mungie Court*  
*Stamford, Conn.*

Offence

*Assault*  
*felony*

Dated *Dec 8* 1889

*Henry Ford* Magistrate.

*John Corro* Officer.

*2101 Court* Precinct.

Witnesses *of Place*

No. *18* Street.

No. *21 Mungie Court* Street.

No. *21 Mungie Court* Street.

\$ *1000* to answer.

*Am*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

*Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *ten* Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Dec 8* 1889 *J. Henry Ford* Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
\_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

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Sec. 151.

Police Court

2 District.

CITY AND COUNTY  
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by

of No. 21. Muntz Lane Street, that on the 5 day of December

188 at the City of New York, in the County of New York,

And before me, Anna Stadman  
he was violently Assaulted and Beaten by

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring her  
forthwith before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 5 day of Dec 188 9

Police Justice.

POOR QUALITY  
ORIGINAL

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Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Hizzie Berry  
vs.

Annie Goodman

Warrant-A. & B.

Dated December 5 1888

Henry Ford Magistrate

Thomas Bowes Officer.

The Defendant

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated \_\_\_\_\_ 188

Police Justice.

The within named



The People  
vs.  
Annie Steadman.

Court of General Sessions, Part I.  
Before Judge Gildersleeve.

Tuesday, December 24, 1889.

Indictment for assault in the first degree .

Lizzie Berry sworn and examined.

I live at 21 Manetta Lane and my business is washing and ironing, I am a married woman and live with my husband and his business is cooking, I know the Defendant, she lived in the opposite room from me on the same floor, I have known her ever since I lived in the house and I moved in there in March, I know that she went out to work and so far as I know she is a married woman. Tell us the circumstances of the assault upon you on the 5th day of December last and what took place at the time.? I cannot tell what time it commenced but as near as I can remember she came into my room before eight o'clock in the morning, she said she was going down town, I asked her not to go down town because she always got sick and in trouble when she went down town, she would get to drinking down there. She said she must go, I says, take my advice and don't drink anything. After a while she came back and said, "Mrs. Berry, come and see what a lot of meat I have got for fifteen cents." I said, "I haven't got time, I have these things to wash up for I have got to go for a half day's work. There was a half pig's head lying on the table and a piece of meat. I did not see any more of her for quite a while, possibly an hour and a half or two hours and all at once I heard the door open, I don't know whether she came from the street or was all the time in the room; she halloed, "Mrs. Berry, where is my pig's

POOR QUALITY  
ORIGINAL

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head?" I said, "what do I know about it, I don't know where it is." She said, "it is gone" and jumped out past me and went in Mrs. Jackson's room, the lady who lived in the front room, she commenced to pound on her door trying to break the door open. I said, "Annie, you are foolish, don't do that; she went back in the room and said, "come on with me and see if I can find it." I said, "don't make such a time over a pig's head, I will give you ten cents to get one." She pulled me into the room and pulled open the bureau drawers and said, "it is gone." I said, "Annie, you are drunk, you don't know what you are doing." She turned around again and called me a very bad name; I says, "you have gone too far," I started out, the next time I went down on my knees on the floor and she pounded me on the head with this hatchet, with the hammer end of it, I could not tell how many times she hit me, she struck me five or six times on the back part of my head and held me down like that while she was striking me (Illustrating.) I caught her by the hair but I did no strike her or attempt to do it; all I done to her was when I felt the blood running down my face I caught her by the hair, I broke away from her and as I started to run I fell and she struck me again, I was lying on the floor, I took hold of her after she struck me several times, I did that in self-defence, I thought the woman was killing me, I can hardly tell you what happened, all I know is I got out of the woman's room, she fired the hatchet at me and it struck me in the back, I threw the hatchet back in the room, I said, "Annie, you tried to kill me with the hatchet." She said, "I haven't done with you yet, I will

**POOR QUALITY  
ORIGINAL**

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kill you." Nothing more happened between us after that, I went in my own room and after that Mrs. Brown and I went to the Station House, Mrs. Brown is the landlady, I think she was present during part of the assault, I don't know where the Defendant went but I suppose to her own room.

Cross Examined. I have lived in that house since the 26th of March, I suppose this happened between eleven and twelve o'clock in the morning, I knew the Defendant had been drinking because I begged her not to go down town to get anything more to drink, I did not see her drink anything that morning and I did not drink anything; I did not pay for any liquor that morning in Annie's room and did not give her any money to procure liquor, she wanted the loan of twenty cents to get something to eat and I gave it to her. This altercation took place on Thursday and I went to the Station House on Friday and to Jefferson Market. I did not see the Defendant on Wednesday; at times she drinks a good deal, I don't know that she is sickly. I am forty-five years old and have been married since the 19th of January. After this assault I went up to the Dispensary and the doctor put four stitches in my cheek at the Station House and then I went to the Dispensary in Waverly Place. I borrowed her hatchet from her once to cut wood with. I did not go to the Hospital.

Sarah Brown sworn and examined.

I live in the same house as the complainant and defendant and was present on the 5th of December and saw this assault, I was in my room lying on my bed and Annie said



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ORIGINAL**

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that she had half a pig's head and that Mrs. Jackson had it in her front room. I heard Mrs. Berry say she did not think that Mrs. Jackson had it because she was out, I heard the Defendant say she was going to burst the door open and then I jumped up and opened my door and stood between the door. Mrs. Jackson is the janitress, she said to the Defendant, "what are you doing, don't you know five years is staring you in the face?" With that Annie uttered an oath and I called Mrs. Berry into her room to see about this pig's head. They were very quiet in there and I shut my door and I intended to go down stairs and when I came by Annie's door was open and I peeped in and saw Mrs. Berry lying in between her bed-room and her big room and she (the Defendant) had the hatchet hitting her on the head, I ran down stairs and said to Mrs. Carr, "I believe that Annie has killed her." The hatchet now shown me is the Defendant's, I did not see Mrs. Berry strike or attempt to strike Annie.

Cross Examined. I have been married twelve years and occupy two rooms there, my husband is not home much for he is a porter on a Pullman Palace car. I have known Annie about six months, she used to wash for me, I saw Annie standing over Mrs. Berry with the hatchet. I am not very strong, I am now under the doctor's treatment, I could not tell you what the Defendant's condition of health is, I have heard her cough, I have a heavy cold now and am under the doctor's treatment. Mrs. Berry was lying down on the floor, she was not saying anything, I thought she was killed I told you. The Defendant's breath smelled as if she had been drinking because

POOR QUALITY  
ORIGINAL

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she came to me with abhatchet; she says, "If you try to take Mrs. Berry's part I will cut you."

Annie Steadman sworn and examined in her own behalf, testified: I live at 22 Manetta Lane I am sick, I have had trouble with Mrs. Berry. She came to my house at eight o'clock in the morning and I was on the bed asleep, she came and knocked at my door, I got up and I said, "come in", Mrs. Berry had ten cents and a white flask which looked like a sliver top, she says, "Annie, go and get us drink," I went and got the drink on the corner of Blecker Street and Manetta, Sullivan's big liquor store. She was not satisfied and she says to me, "Annie, let us have another drink," I says, "all right", I take the glass and I goes and gets another drink for the woman. We drank that up, that was two flasks I had got for her, it was bad whiskey, you get a bottlefull for tenncents there, I went and got another bottle for her, that was three bottles; I was stupid drunk, the stuff had made me kind of flig ty in my head. I am going to tell you as straight as I can about this. All I can remember is that this woman grabs me by the hair of my head and throws me down on the floor, but I can't remember about hitting that woman because I was stupid drunk, I had put my husband's dinner on for he came home at twelve o'clock generally and I was lying on the bed asleep. He said to me, "Annie, you have been drinking with that woman again. I got up and went to the stove and put the dinner on the table and laid down again and did not get up any more until he came home. As for hitting that woman I do not

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ORIGINAL

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remember, I never had any trouble with her before, I work for a living, I helped to drink the three glasses of bad whiskey that I got for her, I had not been drinking before that morning for I had not a cent of money to get any. I had a pig's head but I never said nothing about it, I never locked it in my bureau drawer, I never kept nothing in my bureau drawers but my clothes, I have never been convicted of assaulting anybody in my life, I am thirty-four years old.

Cross Examined. I am sure that I did not look in the bureau drawers for a pig's head, I am sure that I did not say that Mrs. Jackson had it, I am sure that I did not knock at Mrs. Jackson's door, I am sure I did not pick up the hatchet and go for Mrs. Berry, I am sure I did not assault her. Did not you say upon your direct examination when your Counsel was asking you questions, that you did not know anything about it? I said I did not remember anything about it, I do not remember striking her with the hatchet. Will you swear that you did not strike her with the hatchet? I did not strike her, I have known Mrs. Berry a good while, I think it is something about nine months, I think I have lived there that long, I have seen her frequently during that time and she has been always friendly with me, I have never had any trouble with her before, I have not seen the marks on Mrs. Berry's head and don't know how they came there. I was pretty drunk, she threw me on the floor and pulled the hair out of my head. (Producing the hair.)

The Jury rendered a verdict of guilty of assault in the third degree.



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ORIGINAL**

0398

Price: \$19.95

[illegible][illegible][illegible]

# Destiny in the Case

Annie Steadman

filed Dec. 3

1881

..

POOR QUALITY  
ORIGINAL

0399

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Annie Steadman

The Grand Jury of the City and County of New York, by this indictment, accuse

— Annie Steadman —  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Annie Steadman  
late of the City of New York, in the County of New York aforesaid, on the  
fifth day of December in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Lizzie Berry  
in the Peace of the said People then and there being, feloniously did make an assault  
and — her — the said Lizzie Berry  
with a certain hatchet

which the said Annie Steadman  
in her right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent her the said Lizzie Berry  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
— Annie Steadman —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Annie Steadman  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Lizzie Berry in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and — her — the said  
Lizzie Berry  
with a certain hatchet

which the said Annie Steadman  
in her right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

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ORIGINAL

0400

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Annie Steadman  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Annie Steadman  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Lizzie Berry in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
the said Lizzie Berry  
with a certain hatchet

which she the said Annie Steadman  
in her right hand then and there had and held, in and upon the head  
and face of her the said Lizzie Berry  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Lizzie Berry

against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.